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**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Serial No. : 10/629,108

Applicants : Kazuo KOYAMA et al.

Filed : July 28, 2003

For : BENZYLAMINE ANALOGUES

Art Unit : 1625

Examiner : Dr. Taofiq A. SOLOLA

Docket No. : 03338CIP/HG

Confirm. No.: 6344

Customer No.: 01933

**LETTER RE: NOTICE OF NON-COMPLIANT
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAIL STOP ISSUE FEE

S I R :

It was alleged in the NOTICE OF NON-COMPLIANT INFORMATION DISCLOSURE STATEMENT mailed December 9, 2008 that the Information Disclosure Statement ("IDS") filed October 24, 2008 is not compliant with 37 CFR 1.97(d) because the IDS lacked a statement as specified in 37 CFR 1.97(e). The allegation is incorrect for the following reasons.

The aforementioned IDS filed on October 24, 2008 was filed after the submission of an RCE on October 8, 2008 and before the

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Richard S. Barth

Attorney: Richard S. Barth

Dated: December 12, 2008

In the event that this Paper
is late filed, and the
necessary petition for
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for the requisite extension of
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in connection with this
Paper, to Account No. 06-1378.

mailing of a Notice of Allowance on November 18, 2008, and therefore it was timely filed under 37 CFR 1.97(a)(4), which is reproduced as follows:

"(b) An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following periods:

* * *

(4) Before the mailing of a first Office action after the filing of a request for continued examination under §1.114."

In view of the above, consideration of the aforementioned IDS is respectfully requested.

Respectfully submitted,



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